

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 3:13-CR-091-RCJ-(WGC)
11 KELLY LEE RATLIFF,)
12 Defendant.)

PRELIMINARY ORDER OF FORFEITURE

14 This Court finds that on December 16, 2013, defendant KELLY LEE RATLIFF pled guilty to
15 Count One of a One-Count Superseding Felony Information charging him with Possession of Child
16 Pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Superseding Felony
17 Information, ECF No. 20; Change of Plea, ECF No. 18; Plea Agreement, ECF No. 21

18 This Court finds defendant KELLY LEE RATLIFF agreed to the forfeiture of the property set
19 forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Felony Information.
20 Superseding Felony Information, ECF No. 20; Change of Plea, ECF No. 18; Plea Agreement, ECF No.
21 21.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
23 has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture
24 Allegation of the Superseding Felony Information and the offense to which defendant KELLY LEE
25 RATLIFF pled guilty.

26 | . . .

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section

2 2253:

- 3 1. One Iomega External hard drive (S/N WJAA35F574);
- 4 2. Four Miscellaneous Thumb Drives;
- 5 3. 38 Miscellaneous CDs;
- 6 4. Four SD memory Cards;
- 7 5. MSI laptop Computer (S/N A6500-010USK1102000882);
- 8 6. One HTC Cell Phone; and
- 9 7. any book, magazine, periodical, film, videotape, or other matter which contains any
10 such visual depiction, which was produced, transported, mailed, shipped or received
11 in violation of Title 18, United States Code, Section 2252A

12 (all of which constitutes "property").

13 This Court finds the United States of America is now entitled to, and should, reduce the
14 aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
16 United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
18 KELLY LEE RATLIFF in the aforementioned property is forfeited and is vested in the United States
19 of America and shall be safely held by the United States of America until further order of the Court.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
21 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
22 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
23 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
24 name and contact information for the government attorney to be served with the petition, pursuant to
25 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

26 ...

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's petition and the relief sought.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South Virginia Street, 3rd Floor, Reno, NV 89501.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
following address at the time of filing:

14 Greg Addington
15 Assistant United States Attorney
100 West Liberty Street, Suite 600
Reno, NV 89501

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
following publication of notice of seizure and intent to administratively forfeit the above-described
property.

Dated this 3rd day of January, 2014.


R. James
UNITED STATES DISTRICT JUDGE